

5809 East Rosewood St.,
Tucson, Arizona. 85711
November 2, 1968.

Dear Mr. Weisberg: According to the Hearings it was Deputy Sheriff Eugene Boone who said it was Captain Fritz who had first mentioned the Mauser. He was asked who first spoke of a Mauser that day and he answered "Captain Fritz, I believe." Then he went on to say that while Lieut. Day was preparing to take a photograph of the gun in place the Captain knelt and looked closely at the gun and said: "It looks like a Mauser to me." A little later Day lifted the rifle from its place between the noxes and held it in his hands while Fritz operated the bolt and ejected the live load. Fritz and Day both were able to read the inscriptions on the weapon but if it was not a Mauser neither Fritz nor Day said a word to correct Fritz's original identification. This was evidently interpreted by Weitzman and others present to mean that the gun was indeed a Mauser.

In his testimony Captain Fritz said that he probably said something about the gun being a Mauser but was pretty sure he had not mentioned a caliber. He said that he was sure what the rifle was as soon as he had a chance to read the inscriptions or words to that effect and Day said the same thing of himself. But both kept silent and either contributed to confusion or a false identification one or the other. A positive identification on the spot would have eliminated confusion and when the gun was removed from the spot where it was found and from the sight of the witnesses who found it without such positive identification, the "chain of evidence" is broken and there is no means of knowing whether the gun shown later that day was actually the one found or not. The behavior of Fritz is about as suspicious as that of any police officer that day. And he had been on the Dallas police force since 1921. It would seem quite certain that he knew a Mauser when he saw it for police officers practically anywhere in Texas or the west had an interest in guns from the start and they were trained in the use of pistols, rifles, shotguns and sub-machine guns and, as time went on, a few others. I would say that both Fritz and Day must have known a Mauser by sight and it was and is the world's most famous rifle. It looks much like a U.S. Springfield though a trifle more slender because of a little less wood in the stock. The Springfield is, of course, a Mauser but does not bear the name presumably because the first Mauser patent was obtained in the United States on June 2, 1868. How anybody who knew guns could mistake a Carcano for a Mauser I don't know. Fritz may be a veteran of World War I and doubtless needed no information from Weitzman about guns.

It seems to me that in an honest investigation Fritz would have had a great deal to account for.

Sincerely
Whitney Jay

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P.S. I don't quite know how you feel about this mess but I am appalled though not surprised. This utterly false report based on an equally false FBI report issued under the name of a Commission headed by the Chief Justice of the United States which is no more than a "Whitewash" of the guilty and a falsification of everything that happened, the whitewash certainly okayed by the President of the United States and the hosannas with which it was received by all officialdom, the news media, the lawyers, the professors, the politicians and what we may term The Establishment, reveals a measure of corruption never surpassed in the history of the world. I have been reasonably certain for a long time what the situation was but this Report and the aftermath prove it to anyone capable of critical reading. It had not occurred to me that I should have to go into the Report pretty thoroughly to find out, if not what was true, at least what was not true. The depravity of the Establishment is fully as great as I had supposed it might be. Considering the history and the development of the country and the nature of its people and institutions, it probably could not have failed to arrive at this point where the government already seems to be in the hands of the enemies of the people.

The case has been compared to the Dreyfus case in France and certainly there are similarities. A French war minister said in 1899 "If Dreyfus is innocent, then the generals are guilty." And they were, of course. One French writer said that the honor of France was redeemed six or seven years later when a new trial exonerated Dreyfus and restored him to the army and got rid of a few generals and minister. He went on to speculate that the honor of the United States would be redeemed at a later date.

But there is a difference. In France highly influential individuals never ceased to fight for a new trial. In this country there is not that kind of thing. Not an individual of any influence what ever has showed the least concern. Instead all have swallowed the Report whole without chewing or tasting. I would not have put it past them but such a thing had not occurred to me.

I would have thought much better of Robert Kennedy if he had kept his hand in and seen to it that the facts about his brother's death were brought out.

W.J.